

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK ISRAEL : CIVIL ACTION  
v. :  
DAVID WAKEFIELD, et al. : NO. 07-4899

ORDER

AND NOW, this 28<sup>th</sup> day of February, 2008, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Peter B. Scuderi, and the objection to the Report and Recommendation, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is APPROVED and ACCEPTED.
2. The objection is OVERRULED.
3. The petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is DISMISSED.
4. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Mary A. McLaughlin  
MARY A. McLAUGHLIN, J.